

DAVID DIWBY

Plaintiff(s)

Index # 17 CV 9808

- against -

Purchased December 14, 2017

CITY OF NEW YORK, ETAL

Defendant(s)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

CHRISTOPHER J. KLEIN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on February 28, 2018 at 12:59 PM at

1 POLICE PLAZA, 12TH FLOOR  
NEW YORK, NY 10038

deponent served the within SUMMONS AND COMPLAINT on NEW YORK CITY POLICE DETECTIVE LAWRENCE AVVENIRE, SHIELD NO. 10498 therein named,

**SUITABLE  
AGE**

by delivering thereat a true copy of each to "JANE" WING a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. She identified herself as the CO-WORKER of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	YELLOW	BLACK	38	5'5	145

**MAILING**

Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

1 POLICE PLAZA, 12TH FLOOR  
NEW YORK, NY 10038

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on February 28, 2018 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

**MILITARY  
SERVICE**

Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

PERSON SPOKEN TO REFUSED TO STATE TRUE FIRST NAME.

Sworn to me on: February 28, 2018

JOSEPH KNIGHT  
Notary Public, State of New York  
No. 01KN6178241  
Qualified In New York County  
Commission Expires November 26, 2019

RALPH J MULLEN  
Notary Public, State of New York  
No. 01MU6238632  
Qualified in New York County  
Commission Expires April 11, 2019

VINETTA BREWER  
Notary Public, State of New York  
No. 4949206  
Qualified in Bronx County  
Commission Expires April 3, 2019

  
**CHRISTOPHER J. KLEIN**  
License #: 1188546  
Invoice #: 688331